



2008 PROPOSED CONSTITUTIONAL AMENDMENTS

Open General/Presidential/Congressional Election NOVEMBER 4, 2008

The (7) Constitutional Amendments are in the order they will appear on the ballot. Click on an Act No. link to read the complete text of an Act at the Legislature's Web Portal database.

Proposed Amendment No. 1

ACT NO. 935 – Senate Bill No. 232, Regular Session, 2008

To provide for term limits for members of the Public Service Commission, the State Board of Elementary and Secondary Education, the Board of Regents, the Board of Supervisors for the University of Louisiana System, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Supervisors of Community and Technical Colleges, the Louisiana Forestry Commission, the State Civil Service Commission, and the State Police Commission; to provide that a person who has served for more than two and one-half terms in three consecutive terms shall not be appointed or elected to the succeeding term; and to provide for a limit on service on more than one such board or commission. (Amends Article IV, Section 21(A), Article VIII, Sections 3(B), 5(B), 6(B), 7(B), and 7.1(B), Article IX, Section 8(B), and Article X, Sections 3(B) and 43(B); Adds Article IV, Section 22)

Proposed Amendment No. 2

ACT NO. 937 – Senate Bill No. 296, Regular Session, 2008

To require a proclamation which calls the legislature into extraordinary session to be issued at least seven calendar days prior to the convening of the legislature in extraordinary session. (Amends Article III, Section 2(B))

Proposed Amendment No. 3

ACT NO. 931 – House Bill No. 183, Regular Session, 2008

To require the legislature to provide by law for the prompt and temporary succession to the powers and duties of a legislator if the legislator is unavailable to perform his functions or duties due to being ordered to active duty in the armed services of the United States. (Adds Article III, Section 4(F))

Proposed Amendment No. 4**ACT NO. 932** – House Bill No. 420, Regular Session, 2008

To increase the maximum amount of the severance tax imposed and collected by the state on natural resources, other than sulphur, lignite, and timber, which is remitted to the parish governing authority where the severance occurs from eight hundred fifty thousand dollars to one million eight hundred fifty thousand dollars, for Fiscal Year 2009-2010 and to two million eight hundred fifty thousand dollars for Fiscal Year 2010-2011 and thereafter; to require at least fifty percent of the excess severance tax remitted to a parish because of this constitutional amendment to be used within the parish only in the same manner and for the same purposes as money received by the parish from the Parish Transportation Fund; to increase the amount of such severance taxes collected by the state, not to exceed ten million dollars each fiscal year, which is to be deposited to a special fund created in the state treasury to be known as the Atchafalaya Basin Conservation Fund, in order to fund projects contained in the state or federal Basin master plans or an annual Basin plan developed by an Atchafalaya Basin Research and Promotion Board and other such advisory or approval boards, all of which the legislature must create and provide for by law within the Atchafalaya Basin Program, or to provide match for the Atchafalaya Basin Floodway System, Louisiana Project, all as the secretary of the Department of Natural Resources shall direct, provided that eight-five percent must be used for water management, water quality, or access projects, and the remaining fifteen percent may be used to complete ongoing projects and for projects that are in accordance with the mission statement of the state master plan, further provided, however, that up to five percent of the money allocated in any one fiscal year may be used for the operational costs of the program or the department; all to become effective July 1, 2009. (Amends Article VII, Section 4(D)(3); Adds Article VII, Section 4(D)(4) and (5))

Proposed Amendment No. 5**ACT NO. 933** – House Bill No. 461, Regular Session, 2008

To authorize the transfer of the special assessment level on property when the property for which the special assessment level applies has been sold to or expropriated by the federal government, state government, or a local governing authority or political subdivision. (Adds Article VII, Section 18(G)(6))

Proposed Amendment No. 6**ACT NO. 936** – Senate Bill No. 295, Regular Session, 2008

To provide an exception to requirements of first refusal by the owner prior to sale and certain procedures for declaration of property as surplus property, when property is taken for the public purpose of removal of a threat to public health or safety caused by the existing use or disuse of the property. (Adds Article I, Section 4(H)(5))

Proposed Amendment No. 7**ACT NO. 934** – House Bill No. 584, Regular Session, 2008

To authorize the investment in equities of monies of the state and a political subdivision which have been reserved to provide for post-employment benefits other than pensions. (Amends Article VII, Section 14(B))